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SUBJECT: FRONTEX: A PRIMER ON THE EU'S BORDER CONTROL AGENCY

11. (U) SUMMARY: Headquartered in Warsaw, the EU's external border control agency, FRONTEX, focuses on EU-level coordination of "intelligence driven operational cooperation" to strengthen security at the EU's external borders. In a meeting with Pol-Mil Officer, FRONTEX External Relations Officer Rick Weijermans described the agency's key competency as "risk analysis." FRONTEX is seeking cooperation with Ukraine, but it seems limited to negotiating an agreement and leaving the implementation to others. END SUMMARY

Statutory Authority

12. (U) FRONTEX opened its Warsaw headquarters in 2004, just after Poland joined the EU, becoming the new eastern border. EU Council Regulation (EC) No 2007/2004 of 26 October 2004 established FRONTEX, "a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union," with the following responsibilities:

- (a) coordinate operational cooperation between Member States in the field of management of external borders;
- (b) assist Member States in training national border guards, including the establishment of common training standards;
- (c) carry out risk analysis;
- (d) follow up on the development of research relevant for the control and surveillance of external borders;
- (e) assist Member States in the circumstances requiring increased technical and operational assistance at external borders;
- (f) provide Members States with the necessary support in organizing joint return operations.

The Insider's View

13. (U) Pol-Mil officer met with FRONTEX's Weijermans to learn more about the organization's operations and possible areas for cooperation. Weijermans announced a commitment to "operational cooperation" with border guard agencies so long as it was "intelligence driven," but was quick to distance FRONTEX from any commando-style armed action. He highlighted FRONTEX's niche capability - risk analysis - which he said was at the core of the agency's flag-ship effort to stem the flow of illegal immigrants from North Africa through the Mediterranean by sharing intelligence on migration patterns (not personal data) with European border guard agencies. On operational considerations, he acknowledged that the "joint

return operations" mentioned in the Council Regulation were really "repatriations" of illegal immigrants. In summary, he concluded that, "We coordinate and co-finance the voluntary participation of member states."

¶4. (U) Weijermans illustrated FRONTEX's evolving role by commenting on hoped-for cooperation with Ukraine. He noted that article 14 of the Council Regulation gave FRONTEX authority to facilitate cooperation with "third countries," i.e., states that are not in the EU. He explained that the FRONTEX management board, a committee of senior border guard officials from participating EU member states, had approved a proposal to negotiate a "working agreement" on border guard cooperation with Ukraine. As required, FRONTEX had forwarded the proposal to the EU Commission for their review. Weijermans expected that the EU Commission would approve and return the proposal to FRONTEX for implementation during the first half of 2007.

More "back office" than "front line"

¶5. (U) COMMENT: Although FRONTEX has a mandate to facilitate "operational cooperation" and the "training of national border guards," Weijermans' comments indicate the agency pursues these aims through research, reporting and recommendations, rather than operations. A quick reading of the Council Regulation founding FRONTEX, laden with terms like "analysis" and "research," confirms this. Thus despite expectations by some European and U.S. observers that FRONTEX might become an operational office, it appears that, at least for now, the agency's staff are content to take a passive, documentary approach to their task. END COMMENT.
HILLAS